

***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
SUPPLEMENTAL
BRIEF**

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

Bp/s
MAY 3 1977

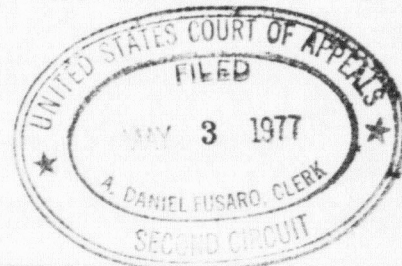
United States of America

Versus

76-1562
Docket NO. 76-1562

Prasarn Bhongsupatana

Appellant Pro-Se



SUPP.
Appellant's Brief

Prasarn Bhongsupatana

Appellant Pro-Se

U.S. Prison,

Atlanta, Georgia 30315

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LETTER FROM JOHN C. CORBETT, Esq.

MOTION AND AFFIDAVIT FROM U.S. ATTORNEY

STIPULATION

U.S. COURT OF APPEALS DENIAL AND ORDER

POINT NO. 1

" A FRAUD HAS BEEN PURPERTRATED UPON THE COURT OF APPEALS BY THE ASSISTANT UNITED STATES ATTORNEY IN A KNOWING AND WILLFULL MANNER WITH THE ASSISTANCE OF THE "EX" ASSIGNED COUNSEL AND COURT REPORTER, AND WITH THE APPROVAL OF THE TRIAL COURT, IN TOTAL VIOLATION OF APPELLANTS CONSTITUTIONAL RIGHTS AND/ OR LAWS OF THIS LAND."

" FACTS "

Attorney JOHN C. CORBETT, assigned by the United States District Court to assist and protect Appellant under Title 18, U.S.C. 3006(A)

Attorney JOHN C. CORBETT, submitted a letter to the Court and App-

Attorney JOHN C. CORBETT, submitted a letter to the Court and Appellant stating, " on reading and studying the transcript and doing research in the law, I have come to the conclusion that there are no non-frivolous issues to be~~s~~ raised in your case." (see exhibit of letter)

Appellant submitted a letter/motion to the Court of Appeals on January 20, 1977 requesting an extension of time and access to all documents, record, and/or files of the case and thereafter forwarded another letter motion to the Court of Appeals so requesting a true verbatim copy of all proceedings to be furnished him.

Appellant received an order from the Chief Judge of the Second Circuit Court of Appeals pertaining to the issues raised(see exhibit) and

further ordered that Assigned Counsel JOHN C. CORBETT be relieved as counsel of record as of the seventh day of February 1977.

Appellant received a motion and affidavit from the Assistant United States Attorney who tried the case for the Government so stating in the 5th. paragraph that to date(April 4, 1977) the Appellant has not been provided with a copy of the District Court's proceedings.

Appellant was notified in the 6th. paragraph of the same indictment that the U.S. Attorney reviewed the transcript and she determined that it was in such poor condition a corrected transcript would be necessary. Accordingly she met with JOHN C. CORBETT, Esq. to settle the transcript. Moreover, I have furnished Judge JACK B. WEINSTEIN with a copy of his charge for corrections. These corrections have been made and agreed to and

a corrected transcript will be prepared by the Court Reporter for the Eastern District of New York on or before April 6, 1977. Thereafter, the corrected transcript will be filed with the District Court. This corrected transcript will be then docketed with this Court. In order to avoid further unnecessary proceedings in this case, we will forward a CORRECTED COPY of this transcript to BHONGSUPATANA, on April 6, 1977 when it is completed by the Court Reporter. We do this in the interests of Justice CF28U.S.C.8753(F) Furthermore, by so providing this transcript to Appellant, Point two of his Pro-Se Brief will be rendered moot.(see exhibit)

Appellant received a stipulation, date April 8, 1977 entered into by CAROL B. AMON, Asst. U.S. Attorney, and JOHN C. CORBETT, Esq.(see exhibit)

APPENDIX NO. 1

Page number 14 and Page number 45 are identical.

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Page 128 duplicated in its entirety
between page 145 and 146.

DOCTRINE OF RES IPSA LOQUITUR " THE THING SPEAKS FOR ITSELF "

ARGUMENT

Appellant is foreclosed from all Constitutional Rights due to the fact there is no true verbatim copy of a transcript of his trial now in existence.

An Appellant Court is not to consider the guilt or innocence of an appellant, what they are to consider is whether or not the Appellant was afforded his Constitutional Rights and so whether or not said Appellant was afforded his rights to a Constitutionally fair trial.

Appellant states he was not afforded his right to a Constitutionally fair trial and the United States Attorney realized this, as did his associate/

employee, namely JOHN C. CORBETT, Esq. and they further realized that if a true verbatim copy of the Court proceedings was afforded appellant, said Appellant would not only obtain a reversal but would be able to prove that JOHN C. CORBETT Esq. was working for the DEA and/ or the Department of Justice.

JOHN C. CORBETT, Esq. had been assigned by the Court to assist and protect this Appellant and afford said Appellant rights guaranteed him by the 6th. amendment of the United States Constitution and inaccordance with a specific statute enacted into law by Congress of the United States of America, Namely Title 18, U.S.C. 3006(A) both of which are to be afforded any person who is to appear before the Federal Courts of the UNITED STATES OF AMERICA even parties such as this Appellant who's home in THAILAND.

However, these rights have been denied this Appellant in a knowing

and willfull manner by the United States Attorney with the aid of JOHN C. CORBETT, Esq.

JOHN C. CORBETT, Esq. originally stated " on reading and studying the transcript and doing research in the law, I have come to the conclusion that there are no non-frivolous issues to be raised in your case. " This forementioned statement of Assigned Counsel is part of the existing record and was made by said Assigned Counsel in an effort to foreclose the Appellant from his Constitutional Rights to a Valid Direct Appeal. Thereafter, Appellant submitted a letter/motion to the Court so requesting permission to proceed on appeal Pro-Se and said permission was thereafter granted. Jurisdiction as of this time rested firmly in the Second Circuit Court of Appeals and had rested there since on or about February 7, 1977 and it is will established once a Court obtains legal valid jurisdiction of an action

nothing can legally disturb said jurisdiction of the Court.

The parties involved knew full well that the jurisdiction of the action lay in the Second Circuit Court of Appeals. Therefore by their actions they show that they have attempted to purpertrate a fraud upon the Appellant and the Court of Appeals in a knowing and willfull manner. As stated there are five elements of Fraud, they include(A)intent to decieve; (B) misstatement;(C) of a material fact;(D)which is relied upon;(E)with injury to the innocent party.The U.S. Attorney, JOHN C. CORBETT and associates have violated all five of the aforementioned elements. In as they"Intended to decieve" the Second Circuit Court of Appeals by making a"misstatement" of"material facts" which would have been relied upon so injuring the Appellant as the doctored/corrected trial transcript no longer contains the verbatium words that were heard by the Jury at time of trial.

The action taken by the heretofore mentioned officials are in total violation of Title 18, U.S.C. 2071(A)(B) which states;

S 2071. CONCEALMENT, REMOVAL, OR MULTILATION GENERALLY

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than \$2,000 or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be

fined not more than \$2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States.

Appellant never appeared before the court to enter into any stipulation pertaining to the altering of the Court transcript. The stipulation that exists is an illegal document signed by the Asst. U.S. Attorney and her associates namely, JOHN C. CORBETT, Esq. before a court which retained no valid jurisdiction.

Appellant has submitted in appendix number a list of all pages as numbered and the other number that appears on the same page below the other number clearly showing the falsification of said document. For that reason

and all aforementioned reasons the transcript can be considered a good book, but, definatly not a certified to true verbatium copy of all Court proceeding.

But the action of the U.S. Attorney and others they have created a situation somewhat simular to the CARL CHESSMAN case. The Court Reporter act 28 U.S.C. S 753(b)(1) requires that a verbatium record be made of all proceedings had in open Court in a criminal case. Failure to comply with this. However, it is usually found to be harmless error. There are other cases which state its impossible to tell whether a defendant was prejudiced by something said or done in the unrecorded portion of proceedings, and that a new trial must be granted. See PARROTT V. U.S. CA 10th. 1963, 314F2d and FOWLER V. U.S., CA 5th. 1962, 310F2d 66 and STEPHENS V. U.S., C.A. 5th.1961 289F2d 308. However, under BROWN V. U.S. 9th. 1963 314F2d 293 it states it

is for the trial Court to determine whether or not there was prejudice to the defendant.

Appellant has established that the Court knowing and willfully has entered into the agreement to correct the original charge that was given to the Jury and for that reason amongst others should be disqualified from any further action in this instant case.

It states in GRIFFIN V. ILLINOIS 351 U.S. 12, 19, 76 S.Ct. 585, 591, 100L.Ed 891,(1956) there can be no equal Justice where the kind of trial a man gets depends on the amount of money he has.

GRIFFIN involved only the provision of a free transcript to an indigent on direct appeal. Here we have a citations where it can be stated NO. Valid transcript now exists, if in fact it ever did.

IN HARDY V. U.S. 375 U.S. 277, 84 S.Ct., 424, 11 LEd.2d 331(1964)

the Supreme Court required the Court of Appeals to order for indigent criminal appellant a complete trial transcripts even for the preliminary purpose of determining whether ~~the~~ appeals might present non-frivolous questions for review and therefore entitled them to in forma pauperis relief pursuant to 28 U.S.C. S 1915__ As any effective appellate advocate will attest, the most basic and fundamental tool of his profession is the complete trial transcript, through which his trained fingers may lead and his trained eyes may roam in search of an error, or lead to an error, or even a basis upon which to urge a change in an established principle of law. NO Responsible retained lawyer who represents a defendant at trial will rely exclusively on his memory(even as supplemented by vital notes) in composing a list of possible trial errors which delimit his appeal.

Similarly, while counsel is studying mistrial minutes, the precise words used by a witness might trigger mental process resulting in legitimate defense strategies which otherwise might be overlooked. Such spontaneity can hardly be forecast and articulated in advance in terms of special or particularized need.

BRITT V. NORTH CAROLINA 92 S.Ct. 431 refers to NICKENS V.U.S. 116 U.S., App. D.C. 338, 323F2d. 808,811(1963) the lower courts opinion suggested that whatever legitimate uses generally might be made of mistrial minutes could alternatively be accomplished by counsels calling as a witness the court reporter of the previous prosecution.

Appellant states in this instant case the Court of Appeals should realize that the Court Reporter was also made a part and party to the falsification of the original Court transcript so submitting to the Court a

fraudlent story.

Appellant states the Government, therefore, shouldnot be allowed to violate the Constitutional Rights of an individual is such a flagrant manner. For by the exhibits, namely, the page number of the transcript, letter of JOHN C. CORBETT the motion and affidavit, and stipulation along with Judge IRVING R. KAUFMAN of the Second Circuit clearly establish the fact that the altering of the official Court transcript occured after the District Court had legally lost jurisdiction of the case, and the proper jurisdiction lie in the Second Circuit of Appeals, and for these reasons this case must be dismissed with prediuce or a new trial ordered.

POINT NO. 2

DID THE COURT ERROR DURING SUMMATION WHEN THE COURT INSTRUCTED

THE JURY THAT ON OR ABOUT THE SIXTH DAY OF SEPTEMBER, 1976, WITHIN THE EASTERN DISTRICT OF NEW YORK, THE DEFENDANT DID KNOWINGLY AND INTENTIONALLY IMPORT INTO THE UNITED STATES FROM BANGKOK, THAILAND HEROIN, WHEN IN FACT THE DEFENDANT ON THAT DATE WAS STILL IN BANGKOK, THAILAND. Thereafter giving the aiding and abetting instructions to a principal who was NEVER LOCATED the Fedderal Government proved beyond a reasonable doubt that on the date in question, namely, September 6, 1976 and until September 9, 1976 the defendant was in Thailand, and for this reason amongst others could not IMPORT INTO THE UNITED STATES: the specific wording of the Court was " ON OR ABOUT THE SIXTH DAY OF SEPTEMBER 1976 WITHIN THE EASTERN DISTRICT OF NEW YORK, THE DEFENDANT DID KNOWINGLY AND INTENTIONALLY IMPORT INTO THE UNITED STATES FROM BANGKOK, THAILAND HEROIN. "

Thereafter the Court stated; page 264-265-266-267-268-269-270-271-272(or Courts complete instructions.)

The instructions of the Court were improper as they deviated from the proof beyond a reasonable doubt theory and instead told the Jury, "the critical fact for this case is whether this defendant knew there was heroin in that pedestal," and then went on to state;"one may not willfully and intentionally remain ignorant of a fact important and material to his conduct in order to escape the consequence of the criminal law."No one could proof this issue and so it is impossible for a jury to determine. The Court further confused the jury when it stated you may treat this deliberate avoidance of positive knowledge as the equivalant to knowledge. In other words, you may find either that he actually knew that the pedestal contained heroin or that he deliberately

close his eyes because he had every reason to believe it was a fact.

What I would like to emphasize, ladies and gentlemen, is that requisite knowledge cannot be established by testimony demonstrating either negligence or even foolishness on the part of the defendant. The defendant if he acted knowingly and intentionally is not excused from guilt because he himself did not cause the heroin to be sent from Thailand into the United States that is that somebody else actually shipped it or because he was acting for another arranging to receive it in this country. Whoever commits an offense against the United States or aids, abets, commands, induces or causes its commission is punishable as the principal. This means if you find the defendant was knowingly and willfully aiding and abetting another person in the commission of a crime in importing heroin, and he did so purposely he's as guilty as if he was

solely responsible for planing and executing the entire scheme.

The Court twisted meanings in order to confuse the Jury into rendering a verdict of guilty and stated if defendant had aided and abetted an unknown person. Title 18, U.S.C. S(2) states; " whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal." So to aid and abet first there would have to be an existing principal.

In accordance with the statute in order to convict the Appellant of aiding and abetting there would have to be a principal for no one can aid and abet themself, nor can they aid and abet an unknown party.

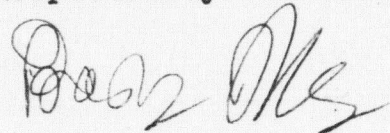
The Court's charge is like a command to a jury and when it is improper as this one is it leads the Jury to find the defendant guilty

on fraudulent statements. The Court who is well versed in the law fully realized what he was doing when he committed prejudicial error and so forgot ~~this~~ oath of office in an effort to assist the DEA., in stopping the drug traffic into this country from Thailand. However, this is not law, and it is stated ACTUS CURIAE NEMINEM GRAVABIT (an act of the Court shall prejudicial no one); apearantly the Court forgot this. It is also stated ACTORE NON PROBANTE REUS ABSOLVITUR. (if the plaintiff does not prove his case, the defendant is absolved). This Court realized the U.S. Attorney failed to prove his case and for this reason instructed the Jury in such a manner as to prejudice the Jury's mind against this defendant.

Wherefore this Appellant prays that the Court considering every thing this Pro-Se litigant has attempted to establish well consider all claims under HAINES V. KERNER - U.S. - and so reverse this case and dismiss same with prejudice so allowing said Appellant the right to go to his homeland forthwith.

It is stated that a " conscious avoidance " charge does not lessen the quantum of knowledge a Jury must find. However, the jury does not realize this and this Appellant should not be prejudiced of his life and liberty because of something that was not explained correctly to the Jury and also a fraudulent transcript.

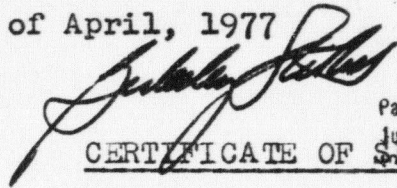
Respectfully Submitted



Sworn to and subscribed

before me this 29, day of April, 1977

29 APR 1977



Parole Officer: Authorized by the Act of
July 7, 1955 to Administer Oaths (18 U.S.C.)

CERTIFICATE OF SERVICE

I PRASARN BHONGSUPATANA, Pro-Se Appellant has cause this 29 day
of April, 1977 the mailing of this Brief to the following:

Original and three copies to Court of Appeals.

One copy to Clerk of Court of Appeals.

One copy to U.S. Attorney for the Eastern District of New York.

One copy to the Thailand Embassy, Washington, D.C.

One copy to the United Nations.

JOHN C. CORBETT, J.D.

COUNSELOR AT LAW

—
TRIANGLE 5-1975
TELEPHONE TRIANGLE 5-6003
TRIANGLE 5-6004
CABLE ADDRESS: "JONCORB"

66 COURT STREET
BROOKLYN, N.Y. 11201

January 18, 1977

Mr. Prasarn Bhongsupatana
P.O. Box P.M.B.
Atlanta, Georgia 30315

Re: Appeal to United States Court of
Appeals Second Circuit

Dear Mr. Bhongsupatana:

I duly filed a notice of appeal in your case and the matter is now pending in the United States Court of Appeals for the Second Circuit.

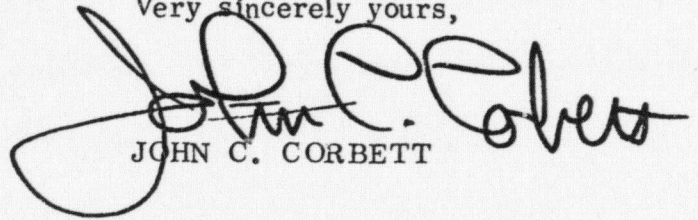
On reading and studying the trial transcript of your case I find that no error was made by the District Court during the trial. The first count of the indictment charges you with participating in the unlawful importation of heroin into the United States, and the second count with possession with intent to distribute. On reading and studying the transcript and doing research in the law, I have come to the conclusion that there are no non-frivolous issues to be raised on appeal in your case. I am, therefore, filing a brief on your behalf under the principles of *Anders v. California* which presents to the Court of Appeals the question that there are no non-frivolous issues which can be presented on your behalf on appeal.

The appeal is scheduled for argument during the week of February 28, 1977. If you do not agree with my conclusion that there are no non-frivolous issues to be presented on appeal, may I suggest that you take whatever action deemed necessary in your own behalf and inform me before February 1st, 1977 of whatever measures you wish to take.

You requested information from me as to your I.D. card, air ticket and drivers license. I have sent nothing to your wife in Bangkok because the agents of the D.E.A. informed me that they had no property of yours in their possession.

If I can be of any further assistance to you or help you in any way, please do not hesitate to write to me.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "John C. Corbett". The signature is written in dark ink and is positioned above the printed name "JOHN C. CORBETT".

JOHN C. CORBETT

JCC:jdv

96-1562

UNITED STATES COURT OF APPEALS

Second Circuit



At a Stated Term of the United States Court of Appeals, in and for the Second Circuit, held at the United States Court House, in the City of New York, on the seventh day of February, one thousand nine hundred and seventy-seven.

UNITED STATES OF AMERICA
Plaintiff-Appellee

v.

PRASARN BHONGSUPATANA
Defendant-Appellant

It is hereby ordered that the ^{application} ~~motion~~ made herein by ~~counsel~~ for the

Prasarn Bhongsupatana
appellant / ~~appellee~~ ~~petitioner~~ ~~respondent~~

~~by notice of motion~~ dated January 20, 1977

be and it hereby is ~~granted~~ denied

DENIED

It is further ordered that the argument of the appeal presently set for March 4, 1977, is hereby adjourned.

It is further ordered that John C. Corbett, Esq., be relieved as counsel on appeal under the Criminal Justice Act.

It is further ordered that the court's order of December 9, 1975 be further amended as follows: It is hereby ordered that the brief and appendix of appellant, ProSe, be filed on or before March 11, 1977, and that if appellant's brief or appendix is not filed by the time directed, the appeal shall be dismissed forthwith. It is further ordered that the United States file its brief on or before April 11, 1977, and that the appeal be taken on submission during the week of April 25, 1977.

Irving R. Kaufman
IRVING R. KAUFMAN, Chief Judge.

~~Clarence J. Jones~~

Sir:

You will please take notice that a
of which the within is copy, was this day
duly entered in the within entitled action,
in the office of the Clerk of this Court.

Dated, Brooklyn, New York 19.....

Yours, etc.,

United States Attorney,

Attorney for

To

Attorney for

Sir:

Please take notice that the within
will be presented for settlement and signa-
ture to the Honorable
at the office of the clerk,

Borough of City of
New York, on the day of,
19, at o'clock in the noon,
or as soon thereafter as counsel can be
heard.

Dated, Brooklyn, New York 19.....

Yours, etc.,

United States Attorney,

Attorney for

To

Attorney for

Court Index No.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA

Appellee,

-against-

PRASARN BHONGSUPATANA

Appellant.

NOTICE OF MOTION and
AFFIDAVIT

DAVID G. TRAGER

United States Attorney,
Attorney for EDNY

Due service of a copy of the within is
hereby admitted.

New York,, 19.....

Attorney for

To

Attorney for

Form No.



DAD:CBA:MD
F#763,589

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

- - - - - X

UNITED STATES OF AMERICA,

AFFIDAVIT

Appellee,

Docket No. 76-1562

-against-

PRASARN BHONGSUPATANA,

Appellant.

- - - - - X

STATE OF NEW YORK)

) SS:

COUNTY OF KINGS)

CAROL B. AMON, deposes and says:

1. I am an Assistant United States Attorney for the
Eastern District of New York, duly appointed according to law
and acting as such.

2. I make this affidavit in support of the motion of the United States as appellee, to amend the scheduling order in the above-captioned case as follows:

(a) Appellant's supplemental brief, if any, to be filed on or before May 6, 1977.

(b) Appellee's brief to be filed on or before June 6, 1977.

3. By amended scheduling order dated December 9, 1976, appellant's brief was ordered to be filed on or before January 19, 1977. The brief was timely filed. ^{1/} By the same scheduling order it was ordered that the brief for the United States, as appellee, be filed on or before February 18, 1977.

4. By further order of this Court dated February 7, 1977, John C. Corbett, Esq., was relieved as counsel and

^{1/} John C. Corbett, Esq., counsel for appellant, filed a brief pursuant to Anderson v. California, 396 U.S. 733 (1967).

appellant was permitted to proceed pro se; his brief was ordered to be filed on or before March 11, 1977. This new order also provided that the brief for the United States, as appellee, be filed on or before April 11, 1977.

5. On February 11, 1977, appellant wrote a letter to this Court, (this office received a copy on February 17, 1977) requesting, among other relief that he be provided a verbatim transcript of the proceedings in the District Court. To date, as far as we have been able to determine, appellant has not been provided a copy of the District Court's proceedings. ^{2/}

6. In reviewing the transcript to prepare the Government's brief, I determine that it was in poor condition and a corrected transcript would be necessary. Accordingly, I have met with John C. Corbett, Esq. to settle the transcript. Moreover, I have furnished Judge Jack B. Weinstein with a copy

of his charge for corrections. These corrections have been made and agreed to and a corrected transcript will be prepared by the Court Reporter for the Eastern District of New York on or before April 6, 1977. Thereafter, the corrected transcript will be filed with the District Court. This corrected transcript will be then docketed with this Court. In order to avoid further unnecessary proceedings in this case, we will forward a corrected copy of this transcript to Bhongsupatana on April 6, 1977, when it is completed by the Court Reporter. We do this in the interests of justice. Cf. 28 U.S.C. §753(f). Furthermore, by so providing this transcript to appellant, Point Two of his pro se Brief will be rendered moot.

3. Inasmuch as appellant, upon receipt of this

2/ We have checked this Court's docket and also have made inquiry of Mr. Corbett.


corrected transcript may raise other issues, we submit that it is appropriate to grant him 30 days or until May 6, 1977 to file a supplemental brief if any.

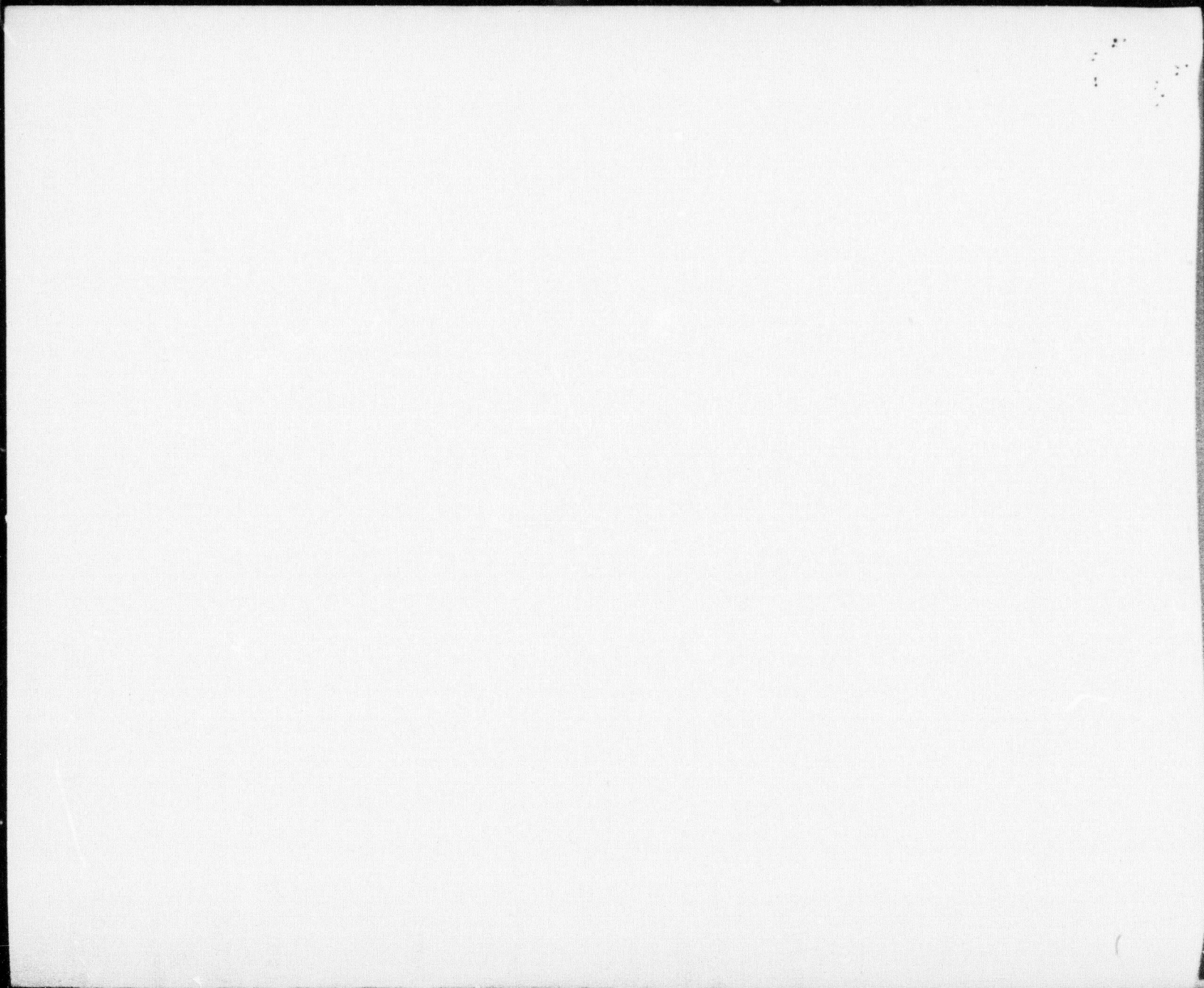
9. In light of the above-recommended time changes, it is requested that the brief of the United States, as appellee, be ordered due on or before June 6, 1977.

WHEREFORE, it is respectfully requested that the application of the United States, as appellee, to amend the scheduling order in the above-captioned case be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Brooklyn, New York
April 4, 1977


CAROL B. AMON
Assistant U.S. Attorney



DAD:CBA:RB
F#763,589

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

- - - - - X

UNITED STATES OF AMERICA

Appellee,

-against-

PRASARN BHONGSUPATANA,

Appellant.

- - - - - X

S I R :

NOTICE OF MOTION

Docket No. 76-1562

PLEASE TAKE NOTICE that upon the annexed affidavit of CAROL B. AMON, Assistant United States Attorney for the Eastern District of New York, duly executed the 4th day of April 1977, a motion will be made and submitted to the United States Court of Appeals for the Second Circuit in Room 1705 of the United States Courthouse, Foley Square,

New York, New York, for an order amending the scheduling order in the above-captioned appeal to permit the appellant to file a supplemental brief, if any, on or before May 6, 1977 and for the United States as appellee, to file its brief on or before June 6, 1977.


This motion is made pursuant to Rule 26(b) of the Federal Rules of Appellate Procedure.

Dated: Brooklyn, New York
April 4, 1977

Yours very truly,

DAVID G. TRAGER
United States Attorney
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York

By:


CAROL B. AMON
Assistant U.S. Attorney

SIR:

PLEASE TAKE NOTICE that the within will be presented for settlement and signature to the Clerk of the United States District Court in his office at the U. S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York, on the ____ day of _____, 19____, at 10:30 o'clock in the forenoon.

Dated: Brooklyn, New York, _____, 19____

United States Attorney,
Attorney for _____
To: _____

Attorney for _____

SIR:

PLEASE TAKE NOTICE that the within is a true copy of _____ duly entered herein on the ____ day of _____, in the office of the Clerk of the U. S. District Court for the Eastern District of New York,
Dated: Brooklyn, New York, _____, 19____

United States Attorney,
Attorney for _____
To: _____

Attorney for _____

Criminal Action No. 76 CR 640

UNITED STATES DISTRICT COURT
Eastern District of New York

UNITED STATES OF AMERICA

—Against—
PRASARN BHONGSUPATANA,
Defendant.

DAVID G. TRAGER

United States Attorney,
Attorney for _____
Office and P. O. Address,
U. S. Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Due service of a copy of the within _____
_____ is hereby admitted.
Dated: _____, 19____

Attorney for _____

FPI-LC-5M-8-73-7355

CAROL B. AMON. AUSA

AFFIDAVIT OF MAILING

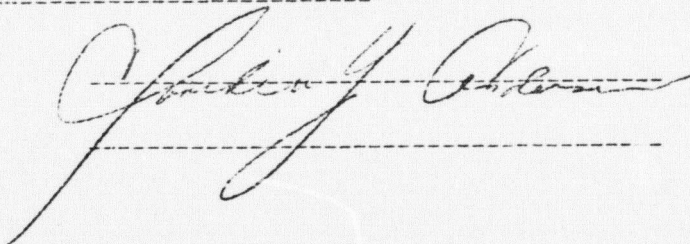
STATE OF NEW YORK
COUNTY OF KINGS
EASTERN DISTRICT OF NEW YORK, ss:

Claudia Y. Anderson -----, being duly sworn, says that on the 8th ---
day of April 1977 -----, I deposited in Mail Chute Drop for mailing in the
U.S. Courthouse, Cadman Plaza East, Borough of Brooklyn, County of Kings, City and
State of New York, a Stipulation and Transcripts dated October 26, 27, 1976
of which the annexed is a true copy, contained in a securely enclosed postpaid wrapper
directed to the person hereinafter named, at the place and address stated below:

Prasarn Bhongsupatana -----
Box PMB 04142
United States Penitentiary -----
Atlanta, Georgia 30315

Sworn to before me this
8th day of April 1977

OLGA S. MORGAN
Notary Public, State of New York
No. 24700000
Qualified in Kings County
Commission Expires March 30, 1979



DAD:CBA:cya
F.#763,357

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

PRASARN BHONGSUPATANA,

Defendant.

----- X

STIPULATION

76 CR 640

IT IS HEREBY STIPULATED, CONSENTED to and AGREED
by and between Carol B. Amon, Assistant United States
Attorney for the Eastern District of New York and John
C. Corbett, Esq., counsel for the defendant during the
trial of the above-captioned case, that the corrected
transcript filed this date in the United States District
Court for the Eastern District of New York is a true
and accurate transcript of the proceedings in the above-
captioned case.

Dated: Brooklyn, New York
April 8, 1977

DAVID G. TRAGER
United States Attorney

By: Carol B. Amon
Carol B. Amon
Assistant U.S. Attorney

John Corbett
John Corbett, Esq.
Counsel for defendant
during District Court
proceedings